

**OPINION  
49-89**

July 7, 1949            (OPINION)

INSTITUTIONS

RE:   Lisbon Soldiers Home

This is in reply to your letter of June 24 addressed to the Attorney General.

You refer to Senate Bill No. 108 which is chapter 85 of the Session Laws of 1949 which appropriated an additional amount for the completion of the new building, equipment, etc. for the North Dakota Soldiers Home at Lisbon. The first item of the bill calls for general work finishing second and third floors, and you have a statement authorizing an additional expenditure of \$73,034 to Meinecke & Johnson for the completion of second and third floors which they state is in accordance with a breakdown estimate dated April 11, 1949. The statement is duly signed by Architect Kurke and Associates and Dr. Walter E. Cole, Commandant of the Home.

You ask whether payments may be made to Meinecke & Johnson from the appropriation provided for by Senate Bill No. 108 of the said sum of \$73,034, additional expenditures for the completion of second and third floors.

Senate Bill No. 108 provides specifically that this item of \$75,000 is for finishing the second and third floors and you are, therefore, authorized to honor the vouchers for the said sum of \$78,034 and to issue a warrant therefor.

What I have stated here is in full accord with my opinion written on June 9, 1949, to your office. I said:

"The board of trustees, however, is authorized, if necessary, to spend the entire sum of \$223,500 and they will, of course, make a general survey of all the items included and which are necessary to complete the building and make the adjustments such as to keep the total cost within the total amount appropriated."

WALLACE E. WARNER

Attorney General